

Application No.: 09/970,432
 Reply to Office Action of 2/06/2004 and
 Notice of Non-Compliance dated 12/21/2004

Docket No.: 30545.11
 Customer No.: 000027683

REMARKS

Reconsideration of this application in light of the above amendments and the following remarks is requested.

The specification has been amended to include a reference to the continuation application.

Attached is a new declaration that overcomes the rejections set forth in the office actions. In this context, the rejection of claims 1-51 based on a defective reissue declaration is traversed on the ground that claims 1-51 are the original patent claims.

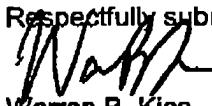
Claim 89 has been cancelled and its limitations have been added to claims 92 and 93 to rewrite the latter claims in independent form. In view of the fact that the rejection based on the defective declaration has been overcome, claims 92 and 93 are allowable. Also, previously rejected claims 90 and 91 have been amended to depend from claim 92 and are therefore allowable along with the remaining claims 94-108 and, of course, original patent claims 1-51.

In summary, the original patent claims 1-51, along with amended claims 90-93, and previously submitted claims 94-108 are allowable. Therefore, an early notice of allowance of claim 1-51, and 90-108 is requested.

This is to acknowledge a telephone interview between the undersigned and Examiner Novosad on December 21, 2004 in which the undersigned was informed that the amendment submitted on April 12, 2004 was not entered, and that he will enter a Notice of Non-compliance into the application today in which applicant will be given a one month response period with no additional fees required. He also indicated that if an amendment was filed in response to the advisory action presenting the claims in the above format and submitting the new declaration, the application would be in condition for allowance.

Should the Examiner have any questions or comments regarding the above, he is invited to telephone the undersigned at the number listed below.

Respectfully submitted,


 Warren B. Kice

Registration No. 22,732

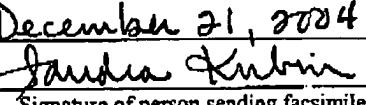
Dated: 12/21/04
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 d-1304803.1

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

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 Signature of person sending facsimile
SANDRA KUBIN